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Attorneys for Debtor

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

**In re:**

**No. 08-41307 LT-13**

**EVELYN FERNANDEZ MENJIVAR,**

**Chapter 13**

**Debtor**

**OBJECTION TO CLAIM #3 OF DELL  
FINANCIAL SERVICES, LLC  
AND OPPORTUNITY FOR HEARING**

The undersigned objects to allowance of Claim No. 3 filed by Dell  
Financial Services, LLC

( ) For any amount

( ) Except as an unsecured claim for \$\_\_\_\_\_.

( ) Except as a secured arrearage claim for \$\_\_\_\_\_.

(X) Except as an unsecured nonpriority claim for \$2,323.05.

for the following reason: Security is of no value.

**PLEASE TAKE NOTICE:**

(i) That Local Rule 9014-1 of the United States Bankruptcy Court  
for the Northern District of California prescribes the procedures to be  
followed and that any objection to the requested relief, or a request  
for hearing on the matter must be filed and served upon the undersigned

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1 within twenty (20) days of mailing of this Notice;

2 (ii) That a request for hearing or objection must be accompanied  
3 by any declarations or memoranda of law the party objecting or  
4 requesting wishes to present in support of its position;

5 (iii) That if there is not a timely objection to the requested  
6 relief or a request for hearing, the Court may enter an order granting  
7 the relief by default; and

8 (iv) That the undersigned will give at least ten (10) days written  
9 notice of hearing to the objecting or requesting party, and to any  
10 trustee or committee appointed in the case, in the event an objection or  
11 request for hearing is timely made.

12  
13 Dated: November 21, 2008

/s/ Patrick L. Forte

PATRICK L. FORTE

Attorney for Debtors